Previous References (1934 mk)

Later References
mk 37-35 to 49
L B 33-37-5

PRESERVED P-31

GENERAL AND REVENUE SECRETARIAT

Serial Nos Four

Part B for April 1935

SUBJECT

Members qtrs Bangalore City- Misl

---

15) G O no L 6877 dt 2 4 35 To Resident City asst engr Bangalore, Directs that Govt cannot accept- the Srikanta Sarma's contentions mentioned in Sec 12(2)(d) qtrs City Municipality Act has become Vacant and requests the Govt to take early action to fill up the Vacancy

WD 01965—GPB—15 000—7 7-34

mk 6877 dt 2/4/35 Cl to Resident

8/2/1935

Serial No

Letter No Ly T 1548 dated 4-3 35 from the President city Municipal Council Mysore stating that Mr A R Srikanta Sharma, elected member of the Municipal Council absented himself from the Municipal meetings consecutively for 5 months and that he has issued a memo disabling the gentleman from continuing as a Municipal Councillor

The point whether Mr Srikanta Sharma has incurred the disqualification referred to is not free from doubt in the circumstances brought to notice The gentleman contends that he has sent a leave application to the President and there is evidence to the effect that the cover said to contain the letter has been received in the office If as stated by the President, the letter has not been received, the cover should have contained some letter from the gentleman and no action seems to have been taken to ascertain the subject matter of that letter ~~sent to the President~~ Anyhow there is some doubt and it is but right that the gentleman should be given the benefit of the doubt Since the memo disqualifying him from continuing as a Municipal Councillor has already been acted by the President, any reference from Mr Srikanta under Section 12-(3) of the City Municipal [redacted] may be awaited

Vacancy in the office of Hon'ble due to the disqualification of Mr Srikanta Sarma

3962/L

Mr File No 25 of 1934 | General and Revenue Secretariat

Law Section may also be consulted if necessary

Perm 7/3

3 The President has issued a memo stating that Mr Srikanta Sarma is disabled from continuing as Nurse Councillor on account of his absence from the meetings of the Hill for two successive months A copy of the memo has been sent for the information of Govt

4 In the bye election to be held for filling up the vacancy Mr Srikanta Sarma will be eligible to stand as a candidate It remains to be seen whether he will stand for election or dispute the occurrence of the vacancy itself In the latter event, he will have to approach Govt whose decision is final under the sub-sec (3) of sec 12

5 No action seems necessary on the present reference Either the result of the bye election or the election petition if Mr Srikanta Sarma has to be awaited

Chief Secy

Am 8/3

8/3/34 Am 8/3

Sub P.

962 √ 4499 99

Disqualification of Mr A R Srikanta Sarma, Municipal councillor, Mysore city

General and Revenue Secretariat | File No 25 of 1934 | [App F III—

Serial No

Petition dated 14-3-35 from Mr A R Srikanta Sarma, Mcl councillor, Mysore city Municipality appealing against the orders of the President declaring his seat vacant.

6 Submitted for orders kind reference is invited to para 1 of the notes

15/3

7. Sec 12(2)(d) of the city Mcpal Regn Does not permit a Councillor - not being a salaried Officer of Govt - to absent himself from the meetings of the Mcl during four successive months except with the leave of the Mcl This is evidently intended to mean that leave of absence should be obtained beforehand from the Mcl and that the grant of leave should not be anticipated Mr Srikanta Sarma should therefore have applied for leave beforehand & got it Sanctioned prior to his availing himself of it Even assuming that he could apply for the leave & stay away, he should have at least ascertained later on whether the leave was sanctioned, and reminded the President if necessary the mislaying of his application by the clerk & the omission to take action thereon are no doubt irregular but this does not seem to help the applicant much & relieve him of his responsibility to see that the leave was sanctioned In this view the contention of the petitioner that his seat should not have been declared vacant seems to be untenable

For favour of remarks

File No 4217/6 of 193

General and Revenue Secretariat

8 What was the date of the last meeting attended by mr Sarma in the year 1934? This inform is necessary to find out if the provisions of Sec 12(2)(d) apply to this case- assessee's Counsel's } 15/3

and when was the next meeting held?

9 Please note with regard to the Dept's Counsel's fee if available after the information asked for

15/3

Information is not readily available
draft submitted for approval
15/3

11 I have revised the draft calling for a report on the appeal petition with information as to the dates of the several meetings held during the period &c.

For perusal before issue

Chief Secy)

Mr Srikanta Sarma was present all the meetings proceedings by the Revenue Member

My powers over orders Perhaps by Personal work causing delay action is necessary for the report called for 18/3

12 18/3

13 Issue 18/3

18 March 1935

K 1935

Disqualification of Mr A R Srikanta Sarma, Mc Councillor,
5574/34 [illegible] - Mysore city

General and Revenue Secretariat | Mc File No 25 of 1934 | [App F III-2

Serial No	
12	The President city Municipal Council, Mysore No L 6453 dated 18-3-1935 calls for a report on the petition and requests him to furnish information on certain points -
13	Letter No Dy T 1687 dated 22-3-35 from the President, city Municipal Council, Mysore forwarding a detailed report in the matter and furnishing the information called for It is reported that Mr Srikanta Sarma attended the last meeting on 25-8-1934 and the next meeting he did not attend was held on 7-9-1934 - and the total number of meetings he did not attend was 7 He attended the meeting held on 22-2-1935
14	Submitted for orders Refer paras 8, 9 [illegible] Refer - Para 8 Asst Secy, Law Section Work Cong's) Asst 26/3
15	Under Sec 12(2)(d), absence without leave of the municipal Council from the meetings during 4 successive months brings about the disqualification to continue as councillor In this case, the first meeting that Mr Sarma absented did not attend was on 7-9-34 - This was a meeting convened from 25 & 26

5514

File No — of 193 — General and Revenue Secretariat

which mr Sarma attended ~~[illegible]~~
Even leaving this out of account, it is clear that ~~from 29-9-34 to 29-1-35~~ mr Sarma failed to attend all the meetings held during the period of 4 months from 29-9-34 to 29-1-35 & for such absence he had not taken leave of the Municipal council. The mere fact that he had asked for leave is not sufficient and in this case it is clear he did not ask for leave before 22-12-34

17. In these circumstances, Mr. Sarma ceased to be a councillor from 29-1-35 and a vacancy has therefore occurred.

Asst Secy Legl
Local Govts

27/3/35

18 Please put up a draft G.O accordingly for consideration

27/3

Petition dated 28-3-35 from Mr Sukanta Sarma praying for the issue of orders staying further proceedings being taken by the President for filling up the alleged vacancy

19 Draft G.O submitted for consideration

20 The appellant wants to be heard before passing orders

30/3

Disqualification of Mr A R Srikanta Sarma, Mc Councillor Mysore

General and Revenue Secretariat | Mc File No 25 | 4336 of 1934 | [App F III-2

Serial No

also requests that further proceedings to fill up the vacancy may be stayed

2/ The opinion of the Advocate General shows that the appellant has no case & does not go in accordance with it is submitted

For orders

Chief Secy) AM 28/3

CHIEF SECRETARY 28 MAR 1935

28 for approval RR 28/3/35

Mr 29/3

Dewan

OFF SECOND M \ L CL 29 MAR 1935

24 JPM 30/3

25 M 30-3-35

RR 1/4/(3)

26 Issue today AM 2/4

12 Regarding the mistaking of Mr Srikanta Sarma's appeal in the Office the President may separately be asked to make an enquiry into the responsibility therefor AM

30 MAR 1935 5736

15 The President City Municipal Council Mysore No L 6877 dated 2-4-35

States that Mr Srikanta Sarma's seat in the Mysore City Mc el has become vacant under Section 12-(2)(d) of the City Mc [illegible] the President to take [illegible] for [illegible]

4336
L

MK File No 25 of 1934

General and Revenue Secretariat

Draft to the President submitted regarding para 22 of the notes

Rmr 15/4

For approval or orders

chiefsecy) 15/4

Please speedy
20/4/35

The Chiefsecy said that this might lie over for some time

25/4

✓
Sec B' 30/4

May the draft on the file issue now? or the question be dropped?

Rmr 9/7 9/7/34

chief Sec) 10/7

May be dropped,
Thanks

10/7

B 11/7

Mr 25-34-11

No GT/1548
81

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE
Dated 4th March 1935

3962
L

FROM

N, KRISHNA IYENGAR ESQ, B E
PRESIDENT City Municipal Council
MYSORE

RR
5/3/35

To

THE CHIEF SECRETARY
to The Government of His Highness The Maharaja
of Mysore BANGALORE

Sir

I have the honour to state that it was brought to my notice on the evening of the 23rd February 1935 by the Office, that Mr A R Srikanta Sharma elected Councillor of the Devaraja Mohalla had absented himself from the Council Meetings for five successive months from September 1934 to January 1935 without the leave of the Council After verifying the papers a letter was written to him to show cause why the disability clause from continuing as a Councillor contemplated in Section 12 (2) (d) of the City Municipalities Regulation should not be made applicable in his case In reply he stated that he had sent a requisition to the President on 22nd December 1934, to obtain permission of the Council for his absence from meetings from September 1934 to the middle of February 1935 He also produced a copy of the requisition for leave, stated to have been sent by him, as well as the office acknowledgment slip for the delivery of the letter

On a reference to the " From " Register, the receipt of
[illegible] not traceable The acknowledgment slip produced,
[illegible] the Registration and despatching Clerk of
[illegible] the Clerk concerned admitted his
[illegible] ment has been

11

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE
DATED 3rd March 1935
4

GT 1546

MEMO

Mr A.R Srikantha Sharma Municipal Councillor having absented himself from the meetings of the Municipal Council during five sucessive months without the leave of the -- Municipal Council is disabled from continuing as a Councillor under Section 12 (2) (d) of the City Municipalities Regulation VII of 1933

Sd N KRISHNA IYE GAR
PRESIDENT

" Copy "

PRESIDENT

Appendix F G –1]

12

SUBJECT_____

Section Me

File No 25-34

Serial No 12

Diary No of letter replied to

No L6453 Pcel

To

The President, city Municipal Comm

Mysore.

General and Revenue Secretariat

( )

the *193*

Sir,

With reference to your letter No 47 1548 dated 4-3-1935 stating that - Mr A R-Srikantan Sarma, an elected member of the Mysore city Municipal Council, absented himself from the municipal meetings successively for five months and that a notice has been issued disabling the gentleman from continuing on the Council and declaring his seat vacant, I am directed to forward herewith an appeal petition

Date of issue 18-3-35

Signed by

List of enclosures

Nil

to be returned

from Mr Srikanta Sarma, for a very early report on the points raised by him

Information may also be furnished on the following points –

(I) What the date of the last meeting of the Municipal Council attended by Mr Srikanta Sarma in the year 1934 was, and for what date the next meeting which he did not attend was held

(II) What were the dates of the several meetings held from August 1934 to end of February 1935

(III) Whether Mr Srikanta Sarma was duly served with notice of the above meetings, and

(IV) whether he attended any of them

I have etc

Chief Secy to Govt

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 6453 Rev I
Rev 25-34-12

Dated Bangalore 18th March ____ *193* 5

From

The *Chief Secretary to the Government of His Highness the Maharaja of Mysore*

To

The President,
City Municipal Council, MYSORE

Sir,

With reference to your letter No G T 1548 dated 4th March 1935 stating that Mr A R Srikanta Sarma, an elected member of the Mysore City Municipal Council, absented himself ~~for~~ from the municipal meetings successively for five months and that a memo has been issued disabling the gentleman from continuing on the Council and declaring his seat vacant, I am directed to forward herewith an appeal petition received from Mr Srikanta Sarma, for a very early report on the points raised by him

Information may also be furnished on the following points -

(i) What the date of the last meeting of the Municipal Council attended by Mr Srikanta Sarma in the year 1934 was, and on what date the next meeting which he did not attend was held,

(ii) what were the dates of the several me tings held from August 1934 to end of February 1935,

(iii) whether Mr Srikanta Sarma was duly served with notice of the above meetings, and

(iv) whether he attended any of them

I have the honour to be,
Sir,
Your most obedient servant,

No GT 1687/84

M 25-34-13 4261/L

OFFICE OF THE PRESIDENT

CITY MUNICIPAL COUNCIL MYSORE

Dated 22nd March 1935

22 MAR 1935

FROM

N KRISHNAIENGAR ESQ B F

PRESIDENT CITY MUNICIPAL COUNCIL

MYSORE

LB & C

TO

The Chief Secretary to

the Government of H H the Maharaja of Mysore

BANGALORE

CHIEF SECRETARIAT 25 MAR 1935

Sir

With reference to your letter No L 6453/M1 25-34-12 dated 18-3-1935 forwarding for report, the petition received from Mr A R Sricanta Sharma appealing against the order of the President disabling him from continuing as a Councillor under Section 12 (2) (d) of the City Municipalities Regulation I have the honour to state as follows

1 The last meeting in 1934 at which Mr Sricanta Sharma attended was the one held on 25-8-1934 In the same month i e on 8-8-1934 he sent a letter requesting to obtain sanction of the Council for his absence from the meetings till the end of August or the middle of September 1934 This letter was included in the agenda of subjects for consideration at the meeting held on 25-8-1934 Mr Sricanta Sharma however was present at the meeting and the letter was recorded at the Council meeting

Thereafter he did not attend any of the meetings held till February 1935 the date of the meeting at which he attended in February being 23-2-1935 On the evening of 23-2-1935 an xxx note was put up stating that Mr Sricanta Sharma had xxx absented himself from the Council meetings since 7-9-1934 without leave of the Council had been granted

ving these facts a letter was

disabilities

15

disability contemplated in Section 12 (2) (d) of the Regulation should not be made applicable in his case A reply was received from him the next day i e on 27-2-1935 stating that he had sent a letter on 22nd December 1934 addressed to the President setting forth his inability to attend the meetings of the Council till the middle of February 1935 and requesting him to place his letter before the Council for obtaining permission for his absence He also stated therein that the delivery of his letter had been acknowledged by the Office and enclosed copies of his letter dated 22-12-1934 and the acknowledgment slip with a remark on the letter " Initials unintelligible The receipt of this letter not being traceable from the office register Mr Sricanta Sharma was requested the same day i e on 27-2-1935 to produce for inspection the acknowledgment slip referred to in his letter with a view to ascertain who had received his letter of 22nd December 1934 and take further action The acknowledgment slip was produced by Mr Sricanta Sharma in person and when examined it was found to bear the initials of the Registration and Despatching Clerk of the office who admitted his initials A copy of Mr Sricanta Sharma's letter dated 26/27th February 1935 together with copies of its enclosures are enclosed herewith for reference

Though Mr Sricanta Sharma holds an acknowledgment slip for a cover delivered in office it is not possible to say what the contents of the cover were As stated above the receipt of the requisition for obtaining leave of the Council said to have been sent on 22-12-1934 is not traceable and is not registered in office Mr Kesavaiengar who was absent from Mysore while addressing my letter No G T 1548 dated 4-3-1935 to you on the subject was also consulted in the matter and he says he did not receive any letter from Mr Sricanta Sharma applying for leave of the Council for his absence

The cover in question is seen to have been received at --
-12-1934 according to the acknowledgment slip
4 at 4 P M the same day, and from the
1934, it is seen that the

16

at Mysore and did not bear any special marks of urgency requiring immediate attention Incidentally it may be mentioned here that any busiress to be ~~x~~ transacted at a meeting requires -- previous notice as per Section 27 (3) No consideration can be given by the Council to any subject previous notice whereof is not given In the present case Mr Sricanta Sharma is said to have sent the requisition for leave on the day of the meeting after its commencement, and it did not therefore admit of being considered at the meeting on 22-12-1934 it being the last meeting the absence from which would disable him from continuing as a member under the Regulation

As per Section 12 (2) (d) of the Regulation, if any Councillor not being a salaried servant of Government absents himself from the meetings of the Municipal Council during four successive months except with the leave of the Municipal Council, he shall be disabled from continuing to be a Councillor and his office shall become vacant Mr Sricanta Sharma absented himself for four successive ~~xxxxxxx~~ months from September 1934 and no leave of Council was granted, as may be seen from the minutes These two ingredients being satisfied Mr Sricantha Sharma is disabled to continue as a Councillor Mr Sricanta Sharma must have been aware that the meeting held on 22-12-1934 was the last meeting at which if he did not attend he would incur the disability contemplated in Section 12 (2) (d) He was in Mysore and the risk of not obtaining leave of the Council was of all importance to him as a Councillor It is a pity he did not endeavour to make sure whether the leave of the Council was or was not granted to him which could have been Easily ascertained from a reference to the copies of Council proceedings of subsequent monthly meetings sent to ~~xxx~~ Councillors by post every month

In these circumstances, I am of opinion that the order of ~~xxxxxx

17

Council attended by Mr Sricanta Sharma in the year 1934 was 25th August 1934 and the next meeting at which he did not attend was held on 7-9-1934 it being an adjourned meeting

(ii) The dates of the several meetings held from August 1934 to end of February 1935 are noted hereunder -

7-9-1934 (adjourned meeting)
29-9-1934
27-10-1934
24-11-1934
22-12-1934
26-1-1935
7-2-1935 (special)
23-2-1935

(iii) Notices of the above meetings were posted to all Municipal Councillors including Mr Sricanta Sharma as required by Section 27 (3) and it may therefore be held that Mr Sricanta Sharma was duly served with notice of the above meetings Further the papers relating to the subjects on the agenda are being circulated among the Municipal Councillors and - Mr Sricanta Sharma has affixed his initials in token of -- having seen the papers of the meetings held on 29-9-1934 24-11-1934 and 22-12-1934

(iv) He attended only one of the above meetings viz- the one held on 23-2-1935

The petition of Mr Sricanta Sharma is herewith returned

I have the honour to be
Sir
Your most obedient Servant

PRESIDENT

Sreecanta Vilas
Elwal Road Mysore
22rd December 1934

To

The President

City Municipality

Mysore

Dear Sir

Owing to the business of recovering very heavy arrears due to me in my estates which necessitated my personal supervision and presence I have not been able to attend the monthly Municipal meetings of the Council since September 1934 Now also as the harvest has commenced and my presence in my estates is quite essential I will not be able to attend any of the meetings of the Council up to ~~ex~~ the -- middle of February 1935 Under the circumstances I shall be much obliged if you would kindly place the matter before the Council and obtain permission for the same

Thanking you

Yours Sincerely

sd A R Sreecanta Sharma

True Copy for information

Itd A R S

dated 27-2-1935

" Copy "

PRESIDENT

MLN

9

SREECANTA VILAS YELWAL RD
Mysore dated 26/27th Feb 35

To
The President
City Municipality
Mysore

Ref to your G T 1482 dated 26th February 1935 stating that I had absented from five meetings of the Council without permission and asking me to show cause as to why the disability under Section 12 (2) (d) should not be made applicable to me etc etc

---

Dear Sir

I am heavily surprised at this above show cause Notice from your Office which has been served on me last evening at 5-30 P M

On the 22nd of December 1934 I have sent a letter addressed to the President City Municipality Mysore detailing forth my inability to attend the meetings of the Council till the middle of February 1935 and requesting him to kindly place my letter before the Council for obtaining permission for absence from meetings The delivery of this letter has been acknowledged by the Office on the slip which accompanied the letter The letter has been delivered on the very same day at 4-20 P M in your Office I have again now enclosed a copy of the letter and the copy of the acknowledgment

When this is so I am entirely at a loss to understand the object of issuing a show cause Notice to me unnecessarily At the same time I regret to note that you have thoroughly ignored my request for leave of absence xxxxx contained in the letter and I am very sorry to point out that the proceedure now adopted is beyond the pale of any rhyme or reason and tends to stultify me in the eyes of the public

Yours Sincerely
sd A R Sreecanta Sharma

letter dated 22nd and its acknowledgmen

" Copy "

(True Copy of Acknment)

President
City Municipality
Mysore

22nd Dec 1934

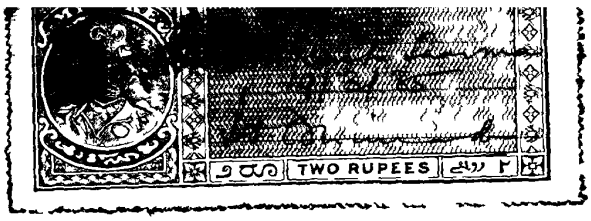
Received one cover @ 4-20 P M
(sd) initials unintelligible
22-12-1934

True Copy
for information
(Itd) A R S

" Copy "

PRESIDENT

MLN



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4099
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The Chief Secretary
To the Government of Mysore
Public Offices Bangalore

Petitioner

A R Sreecanta Sharma
Zamindar Sreecanta Vilas Elwal Road Mysore

The petitioner begs to prefer an appeal on the orders of the President, City Municpal Council Mysore City The appeal grounds are as follows

1 The petitioner is a landowner with very extensive estates and paying an assessment of nearly Ten thousand rupees every year to the Government He is also an Elected Member of the Municipal Council From Devarajamohall Mysore He has been a Municpal Councillor since five Years and was also recently elected in last Cenereal ElectioN, and doing satisfactory service

2 The petitioner owns a very large estate which he has to control and manage properly Due to very urgent business in his estates indenting for his personal supervision the petitioner sent a letter to the President City Municipal Council detailing forth his inability to attend the meetings of the Municpal Council till the Middle of February 1935 and requesting him to kindly place the matter before the Council and get permission This letter was sent to him on the 22nd of December 1934 along with a Voucher The receipt of this letter has been acknowledged in the Voucher and contains the initials of one of the Municpal Lyeges in charge of this arrangement

petitioner returned from his

g held on 23rd Februa

21

February 1935 On 2[illegible]-2-35 ie three days after the meeting the Petitioner is served with a showcause Notice No G T 1482 dated 26-2-35 asking the petitioner as to why he should not be disabled under section 12 (2) (d) of the City Municipalities Regn

The petitioner sent a reply on the very same day and represented that he had applied for leave and enclosed a copy of the letter of the 22nd Dec 34 along with a copy of the Voucher he had received for it Later the Petitioner was asked to produce this Voucher The petitioner produced it and the authorities accepted the Voucher as being theirs and the President also initialled it

On3/4 of March 35 the petitioner received a D O No g t 1547 along with the Memo of the President G T 1546 disabling the petitioner and declaring the seat vacant

The petitioner begs to submit that the order contained in the D O and the Memo Nos G T 1547 and 1546 of the President City Municipal Council Mysore is unjust and does not show that the all the aspects of the case have been fully considered, and tends to stray away from equity and justice And as such is not tenable ~~xxxxxx~~ for the following reasons

1 The Executive head of the Municipal Council is the President ans as dictated by section 12 (2) (d) and the usual proceedure in force the petitioner has made a request thrugh a lettte and obtained an acknowledgement

2 Thes letter ought to have been placed by the President before the Council and a reply ought to have been sent to the petitioner which has not been done and which is no fault of the petitioner

3 The request is in time

4 No action has been taken by the Officials concerned on this letter for nearly Two Months and not even a reply has been sent The Showcause Notice springs up as soon as the Petitioner attended the meeting on the 23rd of Feb and absence seems to ~~we been found out~~(according to the showcause) by a ref to ~~see roll~~that too just after the dismemberment of a colleagu

~~tioner~~ is strictly in accordance with the provisic ~~his~~ proceedure with ref to the application

~~have been a drwaback~~ ~~this received~~

22

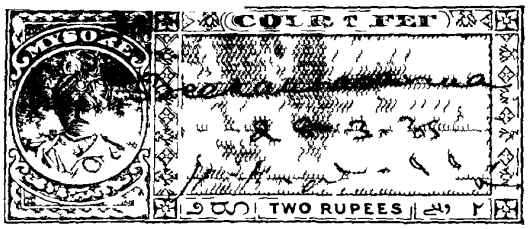
before the Municipal Council and ~~xxxx~~ the wholeblame lies oj them

6 It does not confirm to any sense of justice to say that the petitioner has to suffer like this for no fault of his but the neglect of Office proceedure At the same time the confidence of the ratepayers also is shattered by a mistake like this

Under the circumstances the Petitioner prays that the Government may be pleased to order that all further proceedings be stayed until the decision in the case that an enquiry be made in the matter and the petitioner also given a chance of hearing and thatthe Decision of the President be set aside on the above grounds the seat declared Not Vacant For which act of kindness he will ever pray

R R Swaminathan

14 3 35



33/4336

Before the Government of H H the Maharaja of Mysore at Bangalore

PETITIONER (APPELLANT)

Mr A R Sreekanta Sharma,

Zamindar, Sreekanta Vilas, Yelwal Road,

Mysore

Under section 12(3) of The Mysore City Municipalities Regulation, VII of 1933

The abovementioned petitioner appellant has preferred an appeal petition before the Government protesting against the action of the President, City Municipal Council Mysore intimating the petitioner that he is disabled under section 12(3) (d) of the Regulation from continuing to be a member of the Council and that his office is vacant

The circumstances under which the abovesaid intimation has been given to the petitioner have been explained in the appeal memorandum already submitted Reasons have also been given to show that the circumstances do not justify the President's action

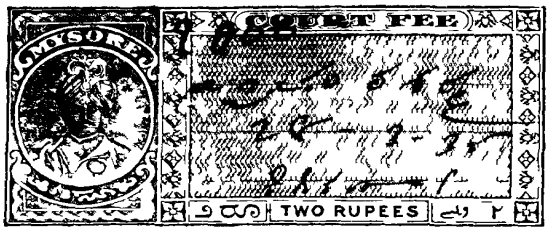
As there is a legitimate dispute in the matter which is to be decided finally by the Government for hearing the petitioner-appellant it is necessary in the interest of justice and of the reputation of [illegible] should be pleased

the alleged vacancy and holding a bye election the petitioner-appellant prays that the order for stay of further proceedings be kindly issued immediatel

C Appaya, Advocate for the Petitioner-appellant

Abdul Rahman Bashamia
Petitioner-appellant

Dated Bangalore the 28th March 1939



24

Retro

In the Court of the Government of H H
the Maharaja of Mysore, Bangalore

Appeal CASE NO OF 1934—1935

Appellant Plaintiff Petitioner		*Respondent Defendant Opponent*
A R Sreekanta Shama, Island Road Mysore	VS	

I the appellant above named do by these presents retain Mr C. NAGAPPA B A LL B *Advocate* to appear in and conduct the above case on behalf to judgment

2 further empower him to execute any decree or order that may be passed in behalf and to receive from court all documents refunds and such sums of money as may be entitled to get and grant receipts therefor

3 also undertake to confirm and ratify all the legal acts done by him in so doing

Bangalore 28 J MYSORE 1935

A R Sreekantashama

Accepted

C Nagappa
the appellant
Retrohome

Signed before me and personally known to me

Advocate

D

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

25

Read –

Petition dated 14th March 1935 from Mr A R.Srikanta Sarma, Mysore City, appealing against the order of the President, City Municipal Council, Mysore, declaring him to be disabled from continuing as a Municipal Councillor under Section 12(2)(d) of the City Municipalities Regulation, on account of his absence from the meetings of the Municipal Council during four successive months without the leave of the Council

2 Correspondence ending with letter No G S 1687 dated 22nd March 1935 from the President, City Municipal Council, Mysore, forwarding a report in the matter.

ORDER NO: Z6877
Ewl 25-34-15

Dated, Bangalore, the 2nd April 1935.

The President, Mysore City Municipal Council, reports that Mr.A R.Srikanta Sarma, an elected member of the Mysore City Municipal Council, absented himself from the meetings of the Council during four successive months from September 1934 to January 1935 without the leave of the Municipal Council and consequently became disabled under Section 12(2)(d) of the Mysore City Municipalities Regulation, 1933, to continue as a councillor Mr Srikanta Sarma contends that he had applied to the Municipal President for permission to be absent from the meetings of the Council till the middle of February 1935 and that he cannot therefore be deemed to have incurred the disability referred to above It is however admitted that his application for leave was made only on 22nd December 1934, after the meeting non-attendance at which would render him unseat. Beyond making an application, it appears that nothing

of the Municipal Council is actually obtained for the absence the absence cannot be condoned

In these circumstances, Government regret that they cannot accept Mr Srikanta Sarma's contentions Under Section 12(2)(d) of the City Municipalities Regulation his seat on the council has become vacant and the President is requested to take early action for filling up the vacancy

By Order,

for Chief Secretary to Government

To

The President, City Municipal Council, Mysore.

L6878 dt 2-4-35

Copy to Mr A R Srikanta Sarma

S.R.3

Proceedings of the Govern ent of H
tie Maharaja of ysore

Read - 16

Petition dated 14th March 1935 from Mr A R Srikanta arma, ysore City, appealing against the order of the President, City Municipal Council, ysore declaring him to be disabled from continuing as a Municipal Councillor under Section 12(2)(d) of the City Municipalities Regulation, on account of his absence from the meetings of the Municipal Council during four successive months without the leave of the Council

2 Correspondence ending with letter No G M 1687 dated 22nd March 1935 from the President, City Municipal Council, Mysore, forwarding a report in the matter

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ORDER No: L6877 /Mel 25-3,-35
Dated, Bangalore, the 2-4-35

The President, ysore City Municipal Council, reports that Mr A R Srikanta Sarma, an elected member of the Mysore City Municipal Council absented himself from the meetings of the Council during four successive months from September 1934 to January 1935 without the leave of the Municipal Council and consequently became disabled under Section 12(2)(d) of the Mysore City Municipalities Regulation, 1933, to continue as a councillor Mr Srikanta that he had applied

22-2-

to be absent from the meetings of the Council till the middle of February 35 and that he cannot therefore be deemed to have incurred the disability referred to above It is however admitted that the application for leave was made only on 22nd December 1934, the day the last meeting ~~the~~ non-attendance at which would render ~~the~~ Mr Sarma liable to vacate his seat ~~But even~~ Beyond making an application, Mr Sarma took no further action He also admits clear that unless leave of the Municipal Council is actually obtained for the absence, the absence cannot be condoned

In these circumstances Government regret they cannot accept Mr Srikanta Sarma's contentions Under section 12(2) (a) of the City Municipalities Legislation his seat on the Council has become vacant and the President is requested to take early action for filling up the vacancy

Chief Secretary to Govt

28/3

To

The President
City Municipal Council, Coconada

L6878 22-4-35

Copy to Mr R Srikanta Sarma